

3701:1-40-19 Transfer of radioactive material.

- (A) No licensee shall transfer radioactive material except as authorized by this rule.
- (B) Except as otherwise provided in the license and subject to the provisions of paragraph (C) of this rule, any licensee may transfer radioactive material:
 - (1) To the United States department of energy;
 - (2) To the agency in any agreement state which regulates radioactive material pursuant to an agreement under section 274 of the "Atomic Energy Act", as amended;
 - (3) To any person exempt from the licensing requirements of the act and regulations in this chapter, to the extent permitted under such exemption;
 - (4) To any person in an agreement state, subject to the jurisdiction of that state, who has been exempted from the licensing requirements and regulations of that state, to the extent permitted under such exemption;
 - (5) To any person authorized to receive such radioactive material under terms of a specific license or a general license or their equivalents issued by the United States atomic energy commission, the United States nuclear regulatory commission, or an agreement state; or
 - (6) As otherwise authorized by the director in writing.
- (C) Before transferring radioactive material to an entity specified in paragraph (B) of this rule, the licensee transferring the material shall verify that the transferee's license authorizes the receipt of the type, form, and quantity of radioactive material to be transferred. The licensee may verify the transferee's authorization to accept the material by possessing one of the following:
 - (1) A current copy of the transferee's specific license or registration certificate specifying the type, form, and quantity of radioactive material to be transferred;
 - (2) A written certification by the receiving licensee certifying that the licensee is authorized by license or registration certificate to receive the type, form, and quantity of radioactive material to be transferred, and further specifying the license or registration certificate number, issuing agency, and expiration date;
 - (3) In the case of an emergency shipment, the transferring licensee may accept oral certification by the receiving licensee that the licensee is authorized by license or registration certificate to receive the type, form, and quantity of radioactive material to be transferred, and further, specifying the license or registration certificate number, issuing agency and expiration date. The transferring licensee shall obtain written confirmation detailing the oral certification within ten days of the emergency transfer; or
 - (4) The transferor may obtain other sources of information compiled by a reporting service from official records of the department, United States nuclear regulatory commission, or the licensing agency of an agreement state as to the identity of the receiving licensee, whether the licensee is authorized by license or registration certificate to receive the type, form, and quantity of radioactive

material to be transferred, and the expiration date of the receiving licensee's license or registration.

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CERTIFIED ELECTRONICALLY

Certification

04/08/2015

Date

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